

REMARKS

Initially, Applicants wish to thank the Examiner for the detailed Final Official Action.

In the outstanding Final Official Action, claim 3 stands objected to for improper dependency. Upon entry of the present amendment, claims 1, 3, 10 and 12 will have been amended, and claims 4 and 13 will have been cancelled. Claim 3 has been amended to address the outstanding objection (i.e. provide proper claim dependency). Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding objection to claim 3. Claim 12 will have been amended to address a noted informality. Claims 1 and 10 will have been amended to recite features similar to those features previously recited in claims 4 and 13, respectively. The amendments to claims 1, 3, 10 and 12 and the cancellation of claims 4 and 13 should not be considered an indication of Applicants' acquiescence to any of the outstanding objection and rejection. Rather, Applicants have amended claims 1, 3, 10 and 12 and cancelled claims 4 and 13 to advance prosecution and to obtain early allowance of the present application.

Claims 1, 3-10 and 12-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by non-patent publication, *Partition Magic* (1994). Applicants respectfully traverse this ground of rejection. The Examiner disagreed with the argument made in the previous Response under 37 C.F.R. §1.111 that *Partition Magic* does not disclose an address attribute defined as "0" when the recording region should be specified in units of bytes, and "1" when the region should be specified in units of sectors. The Examiner cited Figures 3.6 and 3.7 and pages 28 and 30 of *Partition Magic* as teaching a partition list displaying the partitions, drive letters, volume labels, file system types, partition sizes and amount of used and free space. However, Applicants submit that the asserted portions do not indicate whether the recording region is specified in units

of bytes or sectors. Further, it is submitted that the asserted portions of *Partition Magic* fail to disclose (or even suggest) sectors.

Claim 1 has been amended to recite, *inter alia*, a controller operable to receive a command for instructing writing or reading of data from the data processing apparatus by way of the host interface. Claim 1 further indicates that, when the received command specifies an address indicating an access region, the controller is operable to judge a unit of the address specified by the received command, on the basis of the address attribute stored in the region information storage section. In this regard, the Examiner asserts page 117 of *Partition Magic* to teach this feature (which was previously recited in dependent claim 4). Applicants submit that the asserted portion of *Partition Magic* at page 117 merely describes the physical components of a hard disk. In contrast, as described in Applicants' specification as filed, a data processing section refers to the data of a beginning sector, judges the type of file system (e.g., FAT, FAT32) for managing the recording region. The file system of the data processing section specifies a reading range (address, size) in units of sectors. If the address attribute of the recording region is specified in units of bytes, the driver software converts the reading range from sectors to bytes, and a Read command is issued to the recording medium in a converted range in units of bytes. Further, driver software judges the address attribute of effective recording region of a recording medium. If the address attribute of effective recording region is specified in units of sectors, the driver software issues a Write command to the recording medium so as to write data received from the file system in the range in units of sectors specified by the file system. Otherwise, if the address attribute of the effective recording region is specified in units of bytes, the driver software converts the range in units of sectors specified by the file system to range in units of bytes, and issues a Write command to the recording medium so as to write the data received

from the file system in the range after conversion. Applicants respectfully submit that the cited portions of *Partition Magic* fails to disclose (or even suggest) this feature.

Further, as argued in the previous Response under 37 C.F.R. §1.111, the Examiner still has not cited a portion of *Partition Magic* that allegedly discloses the address attribute is defined as “0” when the recording region should be specified in units of bytes, and “1” when it should be specified in units of sectors, to which the present application is directed. Applicants submit that *Partition Magic* fails to disclose (or even suggest) this feature.

Accordingly, Applicants respectfully submit that claim 1 is allowable over *Partition Magic* for each of the reasons set forth above.

Independent method claim 10 is submitted to be allowable for reasons similar to those noted above with respect to independent claim 1, in addition to reasons related to its own recitations.

Applicants respectfully submit that each of dependent claims 3, 5-9, 12 and 14-18 are allowable at least because they depend, directly or indirectly, from independent claims 1 and 10, respectively, which Applicants submit have been shown to be allowable. Each of dependent claims 3, 5-9, 12 and 14-18 are also believed to recite further patentable subject matter. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims upon which they depend, in addition to reasons related to their own recitations.

Accordingly, the Examiner is respectfully requested to withdraw the 35 U.S.C. §102(b) rejection of the pending claims, to indicate the allowability of claims 1, 3, 5-10,12 and 14-18, and to pass the application to issue.

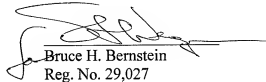
In view of the fact that none of the art of record, whether considered alone or in combination, discloses or suggests the present invention as now defined by the pending claims, and in further view of the above amendments and remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. §1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. §1.17 to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
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